

**COMMON INTEREST COMMUNITY BOARD
MANAGER REGULATORY REVIEW COMMITTEE MEETING**

MINUTES OF MEETING

The Common Interest Community Manager Regulatory Review Committee of the Common Interest Community Board met on Monday, March 29, 2010, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members were present:

Ronda S. DeSplinter, Chair
Kimberly B. Kacani
Marshall Bowden
Kenneth E. Chadwick
Christiaan P. Melson
Edward J. O'Connell, III
Paul L. Orlando
John Rhodes
Walter I. Sasser
Charles Simpson
Lucia Anna Trigiani (Ex-Officio) (arrived
at 9:46 a.m.)

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of LRD
Nick Christner, Deputy Director of CID
Trisha L. Henshaw, Executive Director
Heather Gillespie, Ombudsman
Thomas K. Perry, Property Registration Administrator
Betty C. Jones, Administrative Assistant

Steven Jack from the Office of the Attorney General was present.

Ms. DeSplinter, Chair, called the meeting to order at 9:38 a.m.

Call to Order

Mr. O'Connell moved to approve the agenda. Mr. Chadwick seconded the motion which was unanimously approved by: Bowden, Chadwick, DeSplinter, Kacani, Melson, O'Connell, Orlando, Rhodes, Sasser, and Simpson.

Approval of Agenda

Ms. DeSplinter opened the floor for public comment. No members of

Public Comment

the public present requested to speak.

Period

Ms. Henshaw provided the time-line for developing the Common Interest Community Manager regulations to govern certified individuals.

**Review of Timeline
for Regulations**

Ms. Henshaw provided the Committee with a draft of the Common Interest Community Manager Regulations that incorporates the suggested changes from the last Committee meeting. Ms. Henshaw indicated that fees would be developed at a later date by the agency's financial division.

**Review Draft CIC
Manager
Regulations
(Employee
Certification
Provisions)**

Ms. Trigiani arrived at 9:46 a.m.

**Arrival of
Board Member**

The Committee continued the review of the draft manager regulations. The Committee discussed the prohibited acts contained in the draft regulations and made several amendments to the text.

**Review Draft CIC
Manager
Regulations**

The Committee recessed at 11:00 a.m. and reconvened at 11:17 a.m.

Break

The Committee continued its review of the draft Manager Regulations.

**Review Draft CIC
Manager
Regulations**

Ms. Henshaw provided the Committee with a handout containing draft reciprocity language for consideration by the Committee. Two options were considered:

**Draft Reciprocity
Language for
Consideration by
the CIC Manager
Regulatory Review
Committee**

- Option 1 -- For programs that have established reciprocity agreements with other states
- Option 2 – For programs that grant reciprocity without formal reciprocity agreements with other states

The Committee selected by consensus Option 2 to be added to the draft Manager Regulations.

Based on earlier discussion, Ms. Henshaw provided language to the Committee from other board regulations regarding incompetence as a prohibited act.

**Review Draft CIC
Manager
Regulations**

The Committee recessed for lunch from 12:10 p.m. and reconvened at 12:47 p.m.

Lunch

Upon request by the Committee, Mr. Christner provided an overview of the Compliance and Investigations Division's complaint process. He indicated that association complaints need to follow established association procedures for resolution prior to submission to the agency. The primary goal of the agency is to bring regulants into compliance. Because a number of the inquiries to the Division regarding common interest community matters involve legal issues, Mr. Christner also pointed out that the Ombudsman's office cannot provide legal advice.

Complaint Process

The Committee agreed by consensus to substitute language pertaining to incompetence as a prohibited act to be incorporated into the draft regulations.

**Review Draft CIC
Manager
Regulations**

The Committee discussed additional changes to the draft common interest community manager regulations from the February 25, 2010, Committee meeting as supplied by staff.

The Committee discussed its plan for the next Committee meeting. Staff will prepare a revised draft of the common interest community manager regulations in accordance with the Committee's comments for the next Committee meeting.

**Discuss Topics for
May 6th Committee
Meeting**

The Committee requested Ms. Trigiani, with Ms. Henshaw's assistance, redraft the language for qualifications for common interest community manager licensing for applicants who do not hold an active designation as an Accredited Association Management Company.

The Board members serving on the Committee were reminded to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
and Travel Voucher
Forms**

There being no further business, the meeting was adjourned at 2:35 p.m.

Adjourn

Lucia Anna Trigiani, Chair

Jay W. DeBoer, Secretary